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IPW



JAMES D. WELCH
ATTORNEY AT LAW
PROFESSIONAL ENGINEER

INTELLECTUAL PROPERTY
402-391-4448

10328 PINEHURST AVE.
OMAHA, NEBRASKA 68124

June 29, 2004

Commissioner for Patents
Box: 1450
Alexandria, VA 22313-1450

RE: NEW FILING RECEIPT WHICH RECITES PROVISIONAL APPLICATIONS
FROM WHICH BENEFIT WAS CLAIMED
SERIAL NO.: 10/699,540
FILE DATE: 11/01/2003

Dear Sir;

It has come to my attention that Provisional Application from which benefit was Claimed in the identified Application were not listed on the Filing Receipt.

I am sending copies of the Originally Filed Declaration to provide proof that Benefit was Claimed.

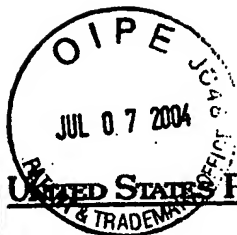
Please provide a corrected Filing Receipt.

Sincerely,

JAMES D. WELCH

JW/hs

enc.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	RL FEE RECD	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/699,540	11/01/2003	2877	915		24	55	8

CONFIRMATION NO. 7162

UPDATED FILING RECEIPT



OC000000012211842

JAMES D. WELCH
10328 PINEHURST AVE.
OMAHA, NE 68124

Date Mailed: 03/29/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John A. Woollam, Lincoln, NE;
Blaine D. Jobs, Lincoln, NE;
Craig M. Herzinger, Lincoln, NE;
Ping He, Lincoln, NE;
Martin M. Liphardt, Lincoln, NE;
Galen L. Pfeiffer, Lincoln, NE;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/034,800 12/28/2001
which is a CIP of 09/945,962 09/04/2001
and is a CIP of 09/496,011 02/01/2000 PAT 6,353,477
which is a CIP of 09/246,888 02/08/1999 PAT 6,084,675
which is a CIP of 08/912,211 08/15/1997 PAT 5,872,630
which is a CIP of 08/530,892 09/20/1995 PAT 5,666,201
and is a CIP of 08/618,820 03/20/1996 PAT 5,706,212

Foreign Applications

If Required, Foreign Filing License Granted: 02/04/2004

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

provisionals
from which
benefit claimed
not listed

Early Publication Request: No

**** SMALL ENTITY ****

Title

Spectroscopic ellipsometer and polarimeter systems

Preliminary Class

356

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



DECLARATION IN COENDING APPLICATION CONTAINING ADDITIONAL SUBJECT MATTER

ATTORNEY'S DOCKET NO.

I, the below named inventor, hereby declare that:
My residence, post office address and citizenship are as stated below next to my name;
that I verily believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural

inventors are named below at 201-203, of the invention entitled:

SPECTROSCOPIC ELLIPSONETER AND
POLARIMETER SYSTEMS

which is described and claimed in the attached specification;
that this application in part discloses and claims subject matter disclosed in my earlier filed pending application,

Serial No. 10/034,800, filed 12/28/01; CONTINUED ON PAGE 2

that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application;
that as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that
the same was ever known or used in the United States of America before my or our invention thereof or patented or described in
any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application,
or in public use or on sale in the United States of America more than one year prior to said earlier application;
that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of
said earlier application in any country foreign to the United States of America on an application filed by me or my legal represent-
atives or assigns more than twelve months prior to said earlier application; and
as to applications for patents or inventor's certificates on the common subject matter filed in any country foreign to the United
States of America, prior to said earlier application by me or my legal representatives or assigns,

- ☒ no such applications have been filed, or
☐ such applications have been filed as follows:

EARLIEST FOREIGN APPLICATIONS, IF ANY, FILED WITHIN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION

that as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe
that the same was ever known or used in the United States of America before my or our invention thereof or patented or
described in any printed publication in any country before my or our invention thereof, or more than one year prior to this
application, or in public use or on sale in the United States of America more than one year prior to this application;
that said non-common subject matter has not been patented or made the subject of an inventor's certificate issued before the
date of this application in any country foreign to the United States of America on an application filed by me or my legal
representatives or assigns more than twelve months prior to this application; and
as to applications for patents or inventor's certificates on the invention filed in any country foreign to the United States of Amer-
ica prior to this application by me or my legal representatives or assigns,

- ☒ no such applications have been filed, or
☐ such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION, IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION

PTO Form 3.16(a)

Patent and Trademark Office - U.S. DEPARTMENT of COMMERCE
(continued)

This Application is a CIP of:

Co-Pending Application Serial No. 10/034,800 FILED 12/28/2001;

and therevia of:

09/945,962 filed 09/04/2001 and 09/496,011 filed 02/01/2000, (now Patent 6,353,477);

which is a CIP of 09/246,888 filed 02/08/1999 (Patent 6,084,675),

which is a CIP of 08/912,211 filed 08/15/1997 (Patent 5,872,630),

which is a CIP of 08/530,892 filed 09/20/1995 (Patent 5,666,201);

and is a CIP of 08/618,820 filed 03/20/1996 (Patent 5,706,212).

This Application also Claims Benefit of Provisional Applications:

60/473,615 Filed 05/28/03;

60/437,023 Filed 12/31/02

60/424,589 Filed 11/07/02 and

60/427,043 Filed 11/18/02.

*There were
not printed
or Filing
Receipt*



POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney/attorneys and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration no.)

JAMES D. WELCH

REG. NO. 31,216

SEND CORRESPONDENCE TO:

**JAMES D. WELCH
10328 PINEHURST AVE.
OMAHA, NE 68124**

**DIRECT TELEPHONE CALLS TO:
(Name and telephone number)**

**JAMES D. WELCH
402-391-4448**

201	FULL NAME OF INVENTOR	FAMILY NAME WOOLLAM	FIRST GIVEN NAME JOHN	SECOND GIVEN NAME A.
	RESIDENCE & CITIZENSHIP	CITY LINCOLN	STATE OR FOREIGN COUNTRY NEBRASKA	COUNTRY OF CITIZENSHIP U.S.A.
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202	FULL NAME OF INVENTOR	FAMILY NAME JOHS	FIRST GIVEN NAME BLAINE	SECOND GIVEN NAME D.
	RESIDENCE & CITIZENSHIP	CITY LINCOLN	STATE OR FOREIGN COUNTRY NEBRASKA	COUNTRY OF CITIZENSHIP U.S.A.
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	RESIDENCE & CITIZENSHIP	CITY LINCOLN	STATE OR FOREIGN COUNTRY NEBRASKA	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 2628 WILBERNESS RIDGE CIR.	CITY LINCOLN	STATE & ZIP CODE/COUNTRY NE 68516

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I have reviewed and understood the content of the application, including the Claims as amended and specifically referred to below.

James D. Welch Reg. D. J. Craig Herzinger Ping He
10-31-03 10-31-03 10-31-03 10-31-03



POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration no.)

JAMES D. WELCH

REG. NO. 31,216

SEND CORRESPONDENCE TO:

**JAMES D. WELCH
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OMAHA, NE 68124**

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**JAMES D. WELCH
402-391-4448**

201	FULL NAME OF INVENTOR	FAMILY NAME LIPHARDT	FIRST GIVEN NAME MARTIN	SECOND GIVEN NAME M.
	RESIDENCE & CITIZENSHIP	CITY LINCOLN	STATE OR FOREIGN COUNTRY NEBRASKA	COUNTRY OF CITIZENSHIP GERMAN
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202	FULL NAME OF INVENTOR	FAMILY NAME PFRIFFER	FIRST GIVEN NAME GALEN	SECOND GIVEN NAME L.
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	POST OFFICE ADDRESS	POST OFFICE ADDRESS 5025 NW 10th St.	CITY LINCOLN	STATE & ZIP CODE/COUNTRY NE 68521
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
204	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

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Mat. R. Welch *Helmut P. Pfiffer*
10-31-23 10/31/03